

Appln No. 10/733,823

Amdt date September 20, 2005

Reply to Office action of September 6, 2005

REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 7 and 9 - 12 are now in the application. Claims 2 - 6 and 13 - 17 have been previously withdrawn in response to the Examiner requiring a restriction under 35 U.S.C. § 121, when the Applicant elected Claims 7 - 12 to be examined. Claim 8 has since been cancelled. Claims 9 and 10 are currently amended.

The Examiner has allowed Claims 7, 11 and 12.

The Examiner has objected to Claim 10 for being dependent on cancelled Claim 8. Claim 10 has been amended to depend on Claim 7.

The Examiner has rejected Claim 9 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Examiner has rejected use of the term "discrepancy variable" in Claim 9, being inconsistent with Claim 7 which uses the term "discrepancy value storage device." Claim 9 has been amended to substitute each use of the term "discrepancy value" by the term "discrepancy value storage device."

Appln No. 10/733,823

Amdt date September 20, 2005

Reply to Office action of September 6, 2005

Accordingly, in view of the above amendment and remarks, it is submitted that the Claims are patentably distinct over the prior art and that all objections and rejections to the Claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

A handwritten signature in cursive script, reading "Richard J. Paciulan", written over a horizontal line.

By

Richard J. Paciulan

Reg. No. 28,248

626/795-9900

RJP/mac

MAC PAS644012.1--09/20/05 11:37 AM